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09/28/2001

Neil Peplinski

68192

3122

22242

7590

12/16/2004

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EXAMINER

SING, SIMON P

ART UNIT

PAPER NUMBER

2645

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/966,341

Applicant(s)

PEPLINSKI, NEIL

Examiner

Simon Sing

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 0722/2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1, 3-13, 15-24 and 31-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-13,15-24 and 31-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 September 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show resistor R9 (fig. 6a) as described in the specification (page 14, line 19). Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1, 13, 31 and 35 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant claims: "monitoring (or detecting) the output voltage of one or more batteries when the one or more batteries are not supplying power". This phrase is confusing and indefinite, because a battery is not supplying power only when it is failed (such as a dead battery), and if the battery is only monitored when it is failed, then how can a user detect a failure if it is not continuously or intermittently monitored before the failure occurs. In addition, this claimed phrase is not being disclosed in the Specification. As shown in figure 6, the batteries are monitored continuously (or in every 8 seconds, see page 16, lines 15-18), and the batteries are also supplying power to a GDO POWER BOARD and resistors 34-37 when the primary power source (AC power) failed. If not supplying power means that the one or more batteries are not supplying power to a garage door operator (not being used, or in standby mode) as stated in the Remark, then it should be clearly written into these claims.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-8, 13, 15-20, 31 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furst US 5,844,328 in view of Glidewell et al. US 5,319,698.

3.1 Regarding claim 1, Furst discloses backup battery power to a garage door operating system in figure 1 (column 3, lines 19-42), comprising:

a backup battery 12;

a charger 16 for charging battery 12; and

a voltage sensor 68 for sensing the voltage of battery 12 and conveying the voltage information to a remote location (column 6, lines 24-28), whether the battery 12 is supplying power to a garage door opener 20 or not (column 1, lines 17-27; column 2, lines 44-48; column 3, lines 19-25).

Furst teaches conveying the voltage information to a remote location, but fails to teach a processor connecting to a telephone line interface for automatically dialing a predetermined telephone number, and playing a pre-stored voice message when the voltage falls below a predetermined level.

However, Glidewell discloses a monitoring system for monitoring varies conditions. Glidewell teaches a sensor 16 for monitoring low battery voltage (column 3,

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lines 15-30), and alerting a control unit 61, which comprising a CPU 70, an auto dialer 80 and a speech synthesizer 78 (figures 3 and 4). Glidewell also teaches that the CPU 70 monitors signals received from the sensor 16, the sends out a voice message stored in memory 72 to three telephone numbers when a low battery voltage is detected (column 5, lines 31-68; column 6, lines 1-11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Furst's reference with the teaching of Glidewell, so that a voltage sensor would have been connected to a controller (processor), which would have dialed out a predetermined telephone number to play an alert voice message stored in a memory in case the battery's voltage dropped below a predetermined level, because such a modification would have enabled the modified Furst's system to alert a user by phone in case the voltage of the backup battery dropped below a predetermined level which required user's attention.

3.2 Regarding claim 3, as discussed in claim 1, the messages are stored in memory 72, which inherently is a non-volatile memory since it also stored the program for the system (column 5, lines 37-41).

3.3 Regarding claims 4 and 5, the modified Furst reference teaches playing a voice message stored in a memory to three telephone numbers, but fails to teach a microphone for recording the messages and speaker for playing back these messages.

However, Glidewell further teaches a telephone 68 in figure 3 for providing inputs to control unit 60, and receive inputs from the speech synthesizer 78 (column 5, line 28-30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Furst's reference with the teaching of Glidewell, so that the messages would have been inputted through a microphone of a telephone, and the messages would have been played back to speaker for verification, and such a modification would have clarified how the messages were inputted to a memory.

3.4 Regarding claim 6, the modified Furst reference teaches playing a voice message stored in a memory to three telephone numbers, but fails to teach that the telephone numbers are stored in a memory.

However, Glidewell further teaches storing an operating program, messages and telephone numbers in memory 72 (column 5, line 37-41).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Furst's reference with the teaching of Glidewell, so that telephone numbers would have been stored in a memory, because such a modification would have clarified storage area for the messages and telephone numbers.

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3.5 Regarding claims 7 and 8, the modified Furst reference teaches playing a voice message stored in a memory to three telephone numbers, but fails to teach that the telephone numbers are inputted from a keypad, which comprises numerals buttons 0-9 and two other buttons.

However, Glidewell further teaches a telephone 68 in figure 3 for providing inputs to control unit 60 (column 5, line 28-30). As shown in figure 3, telephone 68 a plurality of buttons to provide different inputs to control unit 60.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Furst's reference with the teaching of Glidewell, so that the telephone numbers and other functions would have been inputted by a telephone keypad, because such a modification would have clarified how information were inputted into a controller unit.

3.6 Regarding claim 13, Furst discloses backup battery power to a garage door operating system in figure 1, comprising:

an garage door operating system 20 (column 1, lines 17-27) which inherently includes an electric motor for opening/closing the garage door, a transmission connected to the electric motor for opening/closing the garage door (movable barrier), and a controller for energizing the electric motor; and

a backup battery circuit 10 for the garage door operating system 20 (column 3, lines 19-25); wherein the backup battery circuit 10 further comprising:

a battery 12; and



a voltage sensor 68 for sensing the voltage of battery 12 and conveying the voltage information to a remote location (column 6, lines 24-28), whether the battery 12 is supplying power to a garage door opener 20 or not (column 1, lines 17-27; column 2, lines 44-48; column 3, lines 19-25).

Furst teaches conveying the voltage information to a remote location, but fails to teach a processor connecting to a telephone line interface for automatically dialing a predetermined telephone number, and playing a pre-stored voice message when the voltage falls below a predetermined level.

However, Glidedwell discloses a monitoring system for monitoring varies conditions. Glidewell teaches a sensor 16 for monitoring low battery voltage (column 3, lines 15-30), and alerting a control unit 61, which comprising a CPU 70, an auto dialer 80 and a speech synthesizer 78 (figures 3 and 4). Glidewell also teaches that the CPU 70 monitors signals received from the sensor 16, the sends out a voice message stored in memory 72 to three telephone numbers when a low battery voltage is detected (column 5, lines 31-68; column 6, lines 1-11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Furst's reference with the teaching of Glidewell, so that a voltage sensor would have been connected to a controller (processor), which would have dialed out a predetermined telephone number to play an alert voice message stored in a memory in case the battery's voltage dropped below a predetermined level, because such a modification would have enabled the modified

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Furst's system to alert a user by phone in case the voltage of the backup battery dropped below a predetermined level which required user's attention.

3.7 Regarding claim 15, as discussed in claim 13, the messages are stored in memory 72, which inherently is a non-volatile memory since it also stored the program for the system (column 5, lines 37-41).

3.8 Regarding claims 16 and 17, the modified Furst reference teaches playing a voice message stored in a memory to three telephone numbers, but fails to teach a microphone for recording the messages and speaker for playing back these messages.

However, Glidewell further teaches a telephone 68 in figure 3 for providing inputs to control unit 60, and receive inputs from the speech synthesizer 78 (column 5, line 28-30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Furst's reference with the teaching of Glidewell, so that the messages would have been inputted through a microphone of a telephone, and the messages would have been played back to speaker for verification, and such a modification would have clarified how the messages were inputted to a memory.

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3.9 Regarding claim 18, the modified Furst reference teaches playing a voice message stored in a memory to three telephone numbers, but fails to teach that the telephone numbers are stored in a memory.

However, Glidewell further teaches storing an operating program, messages and telephone numbers in memory 72 (column 5, line 37-41).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Furst's reference with the teaching of Glidewell, so that telephone numbers would have been stored in a memory, because such a modification would have clarified storage area for the messages and telephone numbers.

3.10 Regarding claims 19 and 20, the modified Furst reference teaches playing a voice message stored in a memory to three telephone numbers, but fails to teach that the telephone numbers are inputted from a keypad, which comprises numerals buttons 0-9 and two other buttons.

However, Glidewell further teaches a telephone 68 in figure 3 for providing inputs to control unit 60 (column 5, line 28-30). As shown in figure 3, telephone 68 a plurality of buttons to provide different inputs to control unit 60.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Furst's reference with the teaching of Glidewell, so that the telephone numbers and other functions would have been inputted

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by a telephone keypad, because such a modification would have clarified how information were inputted into a controller unit.

3.11 Regarding claim 31, Furst discloses a method for backing up an garage door operating system, using household AV power as a primary power source, with battery power in figure 1. Furst teaches:

an garage door operating system 20 (column 1, lines 17-27) which inherently includes an electric motor for opening/closing the garage door, a transmission connected to the electric motor for opening/closing the garage door (movable barrier), and a controller for energizing the electric motor; and

a backup battery circuit 10 for the garage door operating system 20 (column 3, lines 19-25); wherein the backup battery circuit 10 further comprising:

a battery 12; and

a voltage sensor 68 for sensing the voltage of battery 12 and conveying the voltage information to a remote location (column 6, lines 24-28), whether the battery 12 is supplying power to a garage door opener 20 or not (column 1, lines 17-27; column 2, lines 44-48; column 3, lines 19-25).

Furst teaches conveying the voltage information to a remote location, but fails to teach a processor connecting to a telephone line interface for automatically dialing a predetermined telephone number, and playing a pre-stored voice message when the voltage falls below a predetermined level.

However, Glidedwell discloses a monitoring system for monitoring varies conditions. Glidewell teaches a sensor 16 for monitoring low battery voltage (column 3, lines 15-30), and alerting a control unit 61, which comprising a CPU 70, an auto dialer 80 and a speech synthesizer 78 (figures 3 and 4). Glidewell also teaches that the CPU 70 monitors signals received from the sensor 16, the sends out a voice message to three telephone numbers when a low battery voltage is detected (column 5, lines 31-68; column 6, lines 1-11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Furst's reference with the teaching of Glidewell, so that a voltage sensor would have been connected to a controller (processor), which would have dialed out a predetermined telephone number to play an alert voice message stored in a memory in case the battery's voltage dropped below a predetermined level, because such a modification would have enabled the modified Furst's system to alert a user by phone in case the voltage of the backup battery dropped below a predetermined level which required user's attention.

3.12 Regarding claim 32, Furst teaches a battery charger 16 in figure 1 (column 3, lines 62-65).

4. Claims 9-11 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furst US 5,844,328 in view of Glidewell et al. US 5,319,698 and further in view of Heald et al. US 5,272,382.

4.1 Regarding claims 9 and 21, the modified Furst's reference, teaches a voltage sensor for monitoring the battery voltage, but fails to specifically teaches a voltage divider in a monitoring circuitry.

However, Heald discloses a power supply system in figures 1-4, comprising one or more batteries 100 (figure 4; column 1, lines 16-24; column 13, lines 61-68; column 14, lines 1-19), one or battery charging circuits (figure 4, battery charge indicator) to maintain each battery in a charged mode (Abstract; column 12, lines 11-17; column 21, lines 52-68; column 22, lines 1-9), a modem 84 (telephone line interface) for automatically dialing out a predetermined telephone number over a telephone network (column 4, lines 54-68; column 8, lines 21-28), a voice synthesis logic 82 for prerecording one or more telephone messages and for playing one or more stored telephone messages (column 11, lines 23-38), a monitor device 86 for sensing battery voltage (column 12, lines 34-42, 58-67), a control processor 68 operatively connected to modem 84, a voice synthesis logic 82 and a monitor device 86 (figure 4; column 11, lines 23-41). Heald further teaches a voltage divider connected to the processor 68 (column 18, lines 24-38).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Furst's reference, which was modified by

Glidewell, with the teaching of Heald, so that the voltage sensor would have comprised a voltage divider, because such a modification would have enabled a circuitry with lower voltage components to measure a source with higher voltage.

4.2 Regarding claims 10-11 and 22-23, the modified Furst's reference, teaches a charger for charging the battery 12, but fails to teach charging the battery with different voltage and current.

However, Heald discloses a power supply system in figures 1-4, comprising one or more batteries 100 (figure 4; column 1, lines 16-24; column 13, lines 61-68; column 14, lines 1-19), one or battery charging circuits (figure 4, battery charge indicator) to maintain each battery in a charged mode (Abstract; column 12, lines 11-17; column 21, lines 52-68; column 22, lines 1-9), a modem 84 (telephone line interface) for automatically dialing out a predetermined telephone number over a telephone network (column 4, lines 54-68; column 8, lines 21-28), a voice synthesis logic 82 for prerecording one or more telephone messages and for playing one or more stored telephone messages (column 11, lines 23-38), a monitor device 86 for sensing battery voltage (column 12, lines 34-42, 58-67), a control processor 68 operatively connected to modem 84, a voice synthesis logic 82 and a monitor device 86 (figure 4; column 11, lines 23-41). Heald further teaches charging a battery with different voltage and current (column 21, lines 52-68; column 22, lines 1-9).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Furst's reference, which was modified by

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Glidewell, with the teaching of Heald, so that the charger 16 would have provided different charging voltages and current to battery 12, because such a modification would have enabled a charger to quickly charging up a battery.

5. Claims 12 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furst US 5,844,328 in view of Glidewell et al. US 5,319,698 and further in view of Heald et al. US 5,272,382 and further in view of Reynolds US 4,382,221.

The modified Furst reference, teaches charging battery 12 with two charging current, but fails to teach adjusting charging current based on the temperature of the battery 12.

However, Reynolds discloses a battery charger for backup batteries. Reynolds teaches different charging current (column 9, lines 38-58), and the charging current is also based on the temperature of the battery being charged.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Furst's reference, which was modified by Glidewell and Heald, with the teaching of Reynolds, so that the charger 16 would have provided charging current based on the temperature of the battery 12, because such a modification would have prevented overheating the battery being charged.



6. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Furst US 5,844,328 in view of Glidewell et al. US 5,319,698 and further in view of Johnstone US 4,390,953.

The modified Furst reference teaches an auto-dialer for dialing a telephone number and playing an alert message to the telephone dialed, but fails to teach redial the telephone number if the telephone is not answered.

However, Johnstone discloses an unmanned diagnostic communications system in figure 1. Johnstone teaches an auto dialer for transmitting (dialing) a telephone number and redial this telephone number after a time out (count) when no acknowledgement is received (column 5, lines 5-33).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Furst's reference, which was modified by Glidewell, with the teaching of Johnstone, so that the auto-dialer would have been programmed to redial a telephone number after a predetermined time period when a telephone call was not answered, because such a modification would have enabled the modified system to contact a person via multiple tries.

7. Claims 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furst US 5,844,328 in view of Glidewell et al. US 5,319,698 and further in view of Sandelman et al. US 6,211,782.

7.1 Regarding claim 34, the modified Furst reference, teaches dialing a telephone number and playing an alert message, but fails to teach transmitting a fax message.

However, Sandelman discloses an electronic message delivery system in figure 1. Sandelman teaches an electronic message delivery server 1 for monitoring various equipment 2-5, and sending a fax or e-mail message to a customer or a contractor (for service) when malfunction occurs (column 5, lines 11-36; column 3, lines 41-45; column 11, lines 35-40).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the Furst's reference, which was modified by Glidewell, with the teaching of Sandelman, so that a control unit would have been programmed to send a fax message, because sending a message, whether a voice message, a data message or a fax message would have been a matter of design choice based on the preference of a user.

7.2 Regarding claim 35, Furst discloses backup battery power to a garage door operating system in figure 1, comprising:

an garage door operating system 20 (column 1, lines 17-27) which inherently includes an electric motor for opening/closing the garage door, a transmission connected to the electric motor for opening/closing the garage door (movable barrier), and a controller for energizing the electric motor; and

a backup battery circuit 10 for the garage door operating system 20 (column 3, lines 19-25); wherein the backup battery circuit 10 further comprising:

a battery 12; and

a voltage sensor 68 for sensing the voltage of battery 12 and conveying the voltage information to a remote location (column 6, lines 24-28), whether the battery 12 is supplying power to a garage door opener 20 or not (column 1, lines 17-27; column 2, lines 44-48; column 3, lines 19-25).

Furst teaches conveying the voltage information to a remote location, but fails to teach a processor connecting to a telephone line interface for automatically dialing a predetermined telephone number, and playing a pre-stored voice message when the voltage falls below a predetermined level.

However, Glidedwell discloses a monitoring system for monitoring varies conditions. Glidewell teaches a sensor 16 for monitoring low battery voltage (column 3, lines 15-30), and alerting a control unit 61, which comprising a CPU 70, an auto dialer 80 and a speech synthesizer 78 (figures 3 and 4). Glidewell also teaches that the CPU 70 monitors signals received from the sensor 16, the sends out a voice message stored in memory 72 to three telephone numbers when a low battery voltage is detected (column 5, lines 31-68; column 6, lines 1-11).

In addition, Sandelman discloses an electronic message delivery system in figure 1. Sandelman teaches an electronic message delivery server 1 for monitoring varies equipment 2-5; and sending a fax or e-mail message to a customer or a contractor (for service) when malfunction occurs (column 5, lines 11-36; column 3, lines 41-45; column 11, lines 35-40). Sandelman further teaches that multiple messages in different format may be sent to different destination simultaneously (column 3, lines 50-53).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Furst's reference with the teaching of Glidewell and Sandelman, so that a voltage sensor would have been connected to a controller (processor), which would have dialed out a predetermined telephone number to play an alert voice message, and simultaneously sending an e-mail message in case the battery's voltage dropped below a predetermined level, because such a modification would have enabled the modified Furst's system to alert a user with different communication media in case the voltage of the backup battery dropped below a predetermined level which required user's attention.

7.3 Regarding claim 36, as discussed in claim 35, the modified Furst reference teaches sending an e-mail message.


### ***Response to Arguments***

8. Applicant's arguments filed on 07/22/2004 have been fully considered but they are not persuasive.

The Applicant argues that the prior art does not teach the newly added feature of monitoring one or more batteries when the batteries are not supplying power. However, the Furst reference, teaches a voltage sensor 68 connected to battery 12 and convey voltage information to remote location (column 6, lines 24-28). The voltage sensor monitors the output voltage of battery 12 continuously whether the battery 12 is being used or not.


**Conclusion**

9. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is (703) 305-3221. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.



S.S.

12/06/2004



FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600